

# **FISCAL MEMORANDUM**

## **SB 2639 – HB 2637**

May 15, 2008

**SUMMARY OF AMENDMENT (018502):** Deletes the original bill in its entirety. Deletes Tenn. Code Ann. § 68-14-327, regarding leisure pools. Deletes Tenn. Code Ann § 16-3-807 which authorizes and establishes the guidelines for the Tennessee Judicial Information System Fund and replaces it with language authorizing the Administrative Office of the Courts (AOC) to expend funds for the development and maintenance of the Tennessee Judicial Information System from the appropriation to the AOC. Requires all fees and penalties collected by the Health Services and Development Agencies to be paid to the general fund. Deletes the provision in current code that provides banks with a rebate from any unexpended annual funds of the Department of Financial Institutions. Such rebates are credited against the banking fee owed by the state banks. Deletes Tenn. Code Ann. § 12- 7-101, 102, 103, 104, 105, and 107. Replaces these sections with language requiring the Department of General Services (DGS) to provide a permanent record of publications issued by state government and to establish rules and regulations to control the cost, quantity, content and necessity of such publications. Prohibits the automatic distribution of such reports. Requires DGS to maintain certain information on such publications. Currently, the majority of the rules and regulations concerning such publications are governed by the State Agencies Publication Committee. The authorization for the establishment of such committee is deleted by this bill.

### **FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – Exceeds \$352,900  
Increase Local Expenditures – Exceeds \$100,000/Permissive

Funding to increase the income ceiling to \$24,000 for disabled taxpayers for tax year 2007 was erroneously included in the general appropriations bill for FY07-08 as part of the funding for Public Chapter 539 (which applied only to elderly taxpayers).

### **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Revenue - \$1,700,000**

**Other Fiscal Impact – Under current law, the AOC is allowed to retain excess funds at the end of the fiscal year and deposit such funds into the Tennessee Judicial Information System Fund for expenditure. Additionally the fund has received**

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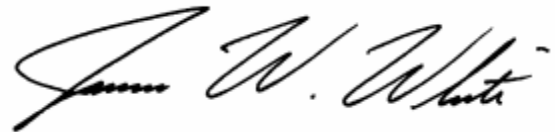
**appropriations to the fund to implement the TNCIS System. According to AOC, such appropriation was approximately \$4,900,000 for FY07-08. Under the provisions of this bill such funds would no longer be retained by the AOC and would revert to the General Fund at the end of each fiscal year. Any projects currently planned by AOC utilizing such funds would be funded either through an additional appropriation or would not take place if such funds are not appropriated. For FY08-09, AOC has projects planned that are projected to cost approximately \$2,593,000 in funds that would revert to the general fund. Such expenditure is in addition to any expenditure that would take place due to an appropriation for the TNCIS project.**

Assumptions applied to amendment:

- According to the Department of Health, removing the regulations regarding leisure pools will not have a fiscal impact on state or local governments.
- According to the Department of General Services any of the provisions of the bill concerning oversight of state publications can be handled utilizing existing resources without an increased appropriation or reduced reversion.
- According to the Health Services and Development Agency, the agency is currently funded by fees charged by the agency and is not funded by the state's budget. It is assumed that if such fees are directed to the General Fund that an amount equivalent to the amount of revenue derived from the fees will be appropriated to the agency. As a result, there will be no significant net impact to the general fund.
- According to the Department of Financial Institutions, it is projected that under current law there will be a total of approximately \$1,700,000 provided to banks in the form of rebates. Under the provisions of this bill, a like amount would revert to the General Fund resulting in an increase in state revenue of \$1,700,000.

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/cce